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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,541	09/26/2001	Umesh Madan	4444P006	3736

8791 7590 05/03/2005

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EXAMINER

KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,541

Applicant(s)

MADAN ET AL.

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/16/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to Reconsideration, filed on 12/16/04.

This action is made final.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-6, 8-9, 12-14, 16-17, 20-22, 24-25, 28-30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al., US# 2001/002455 A1, in view of Garber US# 6,408,270 B1.

As per claim 1, Chin et al. teaches "converting a search term in a search request to one or more canonical phonetic forms" (see paragraph [0164]) "performing a phonetic keyword search for each canonical phonetic form of the search term" (see page 3, paragraph [0041] and page 9, paragraph 164) "generating an indication of search results based, at least in part, on the phonetic keyword search" (see page 16, paragraph [0263] and [0264]). Chin et al. does not teach "phonetic forms based on similar pronunciation of the search term". Garber teaches "phonetic forms based on similar pronunciation of the search term" (see col. 5, lines 39-64). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Garber and Chin, because using the steps of "phonetic forms based on

similar pronunciation of the search term" would have given those skilled in the art the tools to covert search terms more efficiently.

As per claims 4-6, Chin et al. teaches "search the canonical phonetic forms of keywords for one or more of the canonical phonetic forms to the search term" (see page 16, paragraph [0164] and page 7, paragraphs [0124] and [0129]). Chin et al. does not explicitly teach "determining the possible pronunciation for each vowel . . . canonical representation for each of the possible pronunciation . . .". Garber teaches "determining the possible pronunciation for each vowel . . . canonical representation for each of the possible pronunciation . . ." (see col. 5, lines 29-67 and col. 10-48). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Garber and Chin, because using the steps of determining the possible pronunciation for each vowel . . . canonical representation for each of the possible pronunciation . . ." would have given those skilled in the art the tools to process the canonical phonetic forms along with the possible pronunciation for each vowel in manner that would decrease the processing time.

As per claims 8-9 and 12-14, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-8 and are similarly rejected.

As per claims 16-17, 20-22, and 32 these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-8 and are similarly rejected.

As per claims 25 and 28-30, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-8 and are similarly rejected.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, 7, 10-11, 15, 18-19, 23, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al., in view Garber, and further in view of Komissarchik et al., US# 5,799,276.

As per claims 2, Chin et al. teaches "generating one or more canonical phonetic forms of the search term based, at least in part, on the one or more canonical representations" (see page 9, paragraph [0166]). Chin et al. does not explicitly teach "identifying one or more diphthongs within the search term . . . determining . . .". Komissarchik et al. teaches "identifying one or more diphthongs within the search term . . . determining . . ." (see col. 83, lines 53-65). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Komissarchik and Chin above, because using the steps of "identifying one or more diphthongs within the search term . . . determining . . .", would have given those skilled in the art the tools to implement diphthongs in regards to searching data based on a phonetic elements. Chin does not explicitly teach "diphthongs based pronunciation of

the respective diphthong". Garber teaches "diphthongs based pronunciation of the respective diphthong" (see col. 5, lines 30-67). It would have been obvious at the times of the invention for one of ordinary skill in the art to have combined the teachings of Chin and Garber, because using the steps of "diphthongs based pronunciation of the respective diphthong" would have given those skilled in the art the ability to process phonetic representation, via a search element, more expeditiously.

As per claim 3, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 2 and is similarly rejected including the following:

-- Chin et al. teaches "determining whether any canonical representations exist from one or more letters within the search term" (see page 7, paragraph [0124] and page 9, paragraph [0164]) "including the one or more canonical phonetic forms of the search term any canonical representation for the one or more letters" (page 16, paragraph [0263] and page 9, paragraph [0165]).

As per claim 7, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 1-2 and are similarly rejected.

As per claims 10-11 and 15, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 2-3 and 7 and are similarly rejected. As per claims 18-19, 23, 26-27, and 32, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 2-3 and 7 and are similarly rejected.

Response to Arguments

6. Applicant's arguments filed 12/16/04 have been fully considered but they are not persuasive.

--As per applicant's arguments regarding "the canonical phrase of Chin is not the same as canonical phonetic forms of the present invention . . .", examiner maintains that the Chin reference use of canonical in terms of phrases reads on applicant claims language of canonical phonetic forms since applicant's claim language and Chin processes language data in a similarly manner (i.e. Applicant -- phonetic forms and Chin -- translation).

--As per applicant arguments regarding "Komissarchik does not take text as an input . . . convert text into one or more canonical phonetic forms . . .", examiner disagrees and maintains the Chin combined with Komissarchik does teach applicant's claim language of converting text into canonical phonetic forms. Komissarchik's speech recognition demonstrates the ability to convert text to speech and therefore teaches the conversion of text in a similarly manner as applicant's claim language. The assertion that the text to speech is different than text to text is not persuasive, examiner interprets applicant's method claim language method as being perform by both a manual process and by a computer and therefore the teachings of Chin combined with Komissarchik reads on applicant's claim language.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

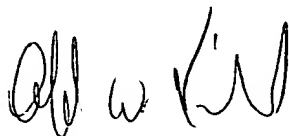
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2163

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Alford W. Kindred', with a stylized, cursive script.

Alford W. Kindred
Patent Examiner
Tech Ctr. 2100